

1 EDMUND G. BROWN JR., Attorney General  
of the State of California  
2 LINDA K. SCHNEIDER  
Supervising Deputy Attorney General  
3 DAVID E. HAUSFELD State Bar No. 110639  
Supervising Deputy Attorney General  
4 110 West "A" Street, Suite 1100  
San Diego, CA 92101

5 P.O. Box 85266  
6 San Diego, CA 92186-5266  
Telephone: (619) 645-2025  
7 Facsimile: (619) 645-2061

8 Attorneys for Complainant

9  
10 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
**DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2008-262

13 LISA DEBORAH THOMASZECK  
3739 Carmel View, Unit #3  
14 San Diego, CA 92130

**A C C U S A T I O N**

15 Registered Nurse License No. 445828  
Nurse Practitioner Certificate No. 14069  
16 Public Health Nurse Certificate No. 50593

17 Respondent.

18  
19 Complainant alleges:

20 **PARTIES**

21 1. Ruth Ann Terry, M.P.H., R.N. ("Complainant") brings this Accusation  
22 solely in her official capacity as the Executive Officer of the Board of Registered Nursing  
23 ("Board"), Department of Consumer Affairs.

24 **Registered Nurse License No. 445828**

25 2. On or about August 31, 1989, the Board issued Registered Nurse License  
26 Number 445828 to Lisa Deborah Thomaszeck ("Respondent"). Respondent's registered nurse  
27 license was in full force and effect at all times relevant to the charges brought herein and will  
28 expire on December 31, 2008, unless renewed.

1                   **Public Health Nurse Certificate No. 50593**

2                   3.       On or about September 7, 1993, the Board issued Public Health Nurse  
3 Certificate Number 50593 to Respondent. Respondent's public health nurse certificate was in  
4 full force and effect at all times relevant to the charges brought herein and will expire on  
5 December 31, 2008, unless renewed.

6                   **Nurse Practitioner Certificate No. 14069**

7                   4.       On or about April 22, 2003, the Board issued Nurse Practitioner  
8 Certificate Number 14069 to Respondent. Respondent's nurse practitioner certificate was in full  
9 force and effect at all times relevant to the charges brought herein and will expire on December  
10 31, 2008, unless renewed.

11                   **STATUTORY & REGULATORY PROVISIONS**

12                  5.       Business and Professions Code ("Code") section 2750 provides, in  
13 pertinent part, that the Board may discipline any licensee, including a licensee holding a  
14 temporary or an inactive license, for any reason provided in Article 3 (commencing with section  
15 2750) of the Nursing Practice Act.

16                  6.       Code section 2764 provides, in pertinent part, that the expiration of a  
17 license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding  
18 against the licensee or to render a decision imposing discipline on the license. Under Code  
19 section 2811, subdivision (b), the Board may renew an expired license at any time within eight  
20 years after the expiration.

21                  7.       Code section 2761 states, in pertinent part:

22                       The board may take disciplinary action against a certified or licensed nurse  
23 or deny an application for a certificate or license for any of the following:

24                       (a) Unprofessional conduct, which includes, but is not limited to, the  
25 following:

26                       (1) Incompetence, or gross negligence in carrying out usual certified or  
27 licensed nursing functions. . .

28                   ///

///

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

2  
3

4  
5  
6  
7

8

9  
10

11

12  
13  
14

15

16

17  
18  
19

## 20

21  
22  
23  
24

## 25

26  
27

28

1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Incompetence)**

3 13. Between or about November 2003, to November 14, 2005, Respondent  
4 was employed as a Clinical Coordinator in the Solid Organ Transplant Department ("SOTD") of  
5 Scripps Green Hospital ("SGH") in LaJolla, California.

6 14. Between or about February 16, 2005, and June 28, 2005, Respondent  
7 telephoned Galloway's Pharmacy ("GP") and fraudulently authorized, for her girlfriend J.H.,  
8 prescriptions for the medications Prednisone, Albuterol, and Monopril by falsely representing  
9 that the prescriptions had been authorized by SGH's physician C.M.. On July 20, 2006,  
10 Respondent admitted to a Board investigator that she had called the prescriptions in to GP for  
11 J.H. and that J.H. had never been a patient of SGH's physician C.M..

12 15. On November 14, 2005, Respondent was being terminated from her  
13 position with SGH for misconduct. Respondent was cleaning out her desk while under the  
14 supervision of program director D.C. and security and parking manager R.A. When Respondent  
15 opened a locked drawer in her desk, D.C. and R.A. noticed that it contained multiple bottles of  
16 medication. After Respondent had been escorted from the building, D.C. and R.A. looked in  
17 Respondent's desk drawer and discovered approximately 30 bottles of prescription medications  
18 labeled for prior patients. On July 20, 2006, Respondent admitted to a Board investigator that she  
19 had solicited the medications from prior patients, stored the medications in her desk drawer, and  
20 re-issued the medications to other patients.

21 16. Respondent is subject to disciplinary action pursuant to Code section 2761,  
22 subdivision (a)(1), on the grounds of unprofessional conduct. Between or about November 2003,  
23 through November 14, 2005, while employed as a Clinical Coordinator in the SOTD at SGH,  
24 Respondent was guilty of incompetence, within the meaning of Regulation 1443, as follows:

25 a. Respondent failed to follow the policy and procedures of SGH by calling in  
26 prescriptions to GP, for her girlfriend J.H., without a physician's order.

27 b. Respondent collected and re-issued patient medications.

28 ///

1                                   **SECOND CAUSE FOR DISCIPLINE**

2                                   **(Unprofessional Conduct)**

3                   17.     Respondent is subject to disciplinary action pursuant to Code section 2761,  
4 subdivision (a), in that between or about, November 2003, to November 14, 2005, while on duty  
5 as a registered nurse in the SOTD at SGH Respondent committed acts constituting unprofessional  
6 conduct, as set forth in paragraph 16 above.

7                                   **THIRD CAUSE FOR DISCIPLINE**

8                                   **(Furnishing Dangerous Drugs to Others)**

9                   18.     Respondent's registered nurse license is subject to disciplinary action  
10 pursuant to Code Section 2761, subdivision (a), on the grounds of unprofessional conduct, as  
11 defined in Code section 2762, subdivision (a), in that between or about February 16, 2005, and  
12 July 25, 2005, she furnished the dangerous drugs Prednisone, Albuterol, and Monopril to her  
13 girlfriend J.H. without lawful authority therefore, as set forth in paragraph 14 above.

14                                   **PRAYER**

15                   WHEREFORE, Complainant requests that a hearing be held on the matters herein  
16 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

17                   1.     Revoking or suspending Registered Nurse License Number 445828, issued  
18 to Lisa Deborah Thomaszeck;

19                   2.     Revoking or suspending Public Health Nurse Certificate Number 50593,  
20 issued to Lisa Deborah Thomaszeck;

21                   3.     Revoking or suspending Nurse Practitioner Certificate Number 14069,  
22 issued to Lisa Deborah Thomaszeck;

23                   4.     Ordering Lisa Deborah Thomaszeck to pay the Board of Registered  
24 Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to  
25 Business and Professions Code section 125.3; and

26 ///


27 ///

28 ///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

5. Taking such other and further action as deemed necessary and proper.

DATED: 3/7/08

  
RUTH ANN TERRY, M.P.H., R.N.  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant